

Message Text

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SUBJECT: PRESS PLAY ON BURGLARY OF APARTMENT OF SOVIET
EMBASSY EMPLOYEE VIKTOR KUZNETSOV

1. ON AUGUST 17 THE WASHINGTON STAR CARRIED AN ARTICLE
UNDER THE HEADLINE "SOVIET EMBASSY PROHIBITS DIPLOMAT
FROM TESTIFYING", CONCERNING THE AUGUST 8 BURGLARY OF
SOVIET EMBASSY EMPLOYEE VIKTOR KUZNETSOV'S APARTMENT AND
SUBSEQUENT EMBASSY REJECTION OF US DISTRICT ATTORNEY'S
REQUEST THAT KUZNETSOV TESTIFY BEFORE A GRAND JURY. TEXT
OF STAR ARTICLE FOLLOWS:

2. "SOVIET EMBASSY PROHIBITS DIPLOMAT FROM TESTIFYING

3. "DISTRICT PROSECUTORS AND STATE DEPARTMENT OFFICIALS
ARE FUMING OVER THE REFUSAL OF THE SOVIET EMBASSY TO ALLOW
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ONE OF ITS DIPLOMATS TO TESTIFY AGAINST A SOUTHEAST
WASHINGTON MAN CHARGED WITH BURGLARIZING THE DIPLOMAT'S
APARTMENT.

4. "ASSISTANT US ATTORNEY C. MADISON BREWER, WHO IS HAND-
LING THE CASE, SAID THAT WITHOUT A COMPLAINING WITNESS,
THE GOVERNMENT WILL BE FORCED TO DISMISS THE CHARGES,

DESPITE WHAT THE PROSECUTOR CHARACTERIZED AS AN EYE-WITNESS IDENTIFICATION OF THE SUSPECT BY THE SUSPECT BY THE DIPLOMAT AND HIS WIFE.

5. "A SOVIET OFFICIAL SAID YESTERDAY IT IS THE PRACTICE OF THE EMBASSY TO REFUSE TO ALLOW MEMBERS OF ITS DELEGATION ANY INVOLVEMENT IN AMERICAN COURTS, EVEN AS A COMPLAINING WITNESS. HE REFUSED TO EXPLAIN THE SOVIET POSITION AND REFERRED ALL QUESTIONS TO THE STATE DEPARTMENT.

6. "UNDER US LAW, AN ORDINARY WITNESS CAN BE COMPELLED TO TESTIFY BY THE COURTS. BUT BECAUSE THE CITY'S 19,000 EMBASSY PEOPLE AND THEIR DEPENDENTS ENJOY DIPLOMATIC IMMUNITY, THEY DO NOT HAVE TO TESTIFY IF THEIR GOVERNMENT DOES NOT WANT THEM TO.

7. "MOST FOREIGN GOVERNMENTS ALLOW THEIR DIPLOMATS TO TESTIFY IN STRAIGHTFORWARD CRIMINAL CASES. ONLY THE SOVIET UNION AND OTHER EASTERN BLOC COUNTRIES HAVE AN ABSOLUTE BAN ON TESTIMONY FOR ANY REASON.

8. PROSECUTORS AND STATE OFFICIALS ARE PARTICULARLY IRKED BECAUSE THEY BELIEVE THE SOVIET ATTITUDE WORKS TO THE RUSSIANS' DISADVANTAGE AS WELL AS TO THAT OF THE US GOVERNMENT.
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9. "SOURCES CLOSE TO THE SOVIET DESK AT THE STATE DEPARTMENT SAID THEY HAVE HEARD OF EIGHT OR NINE RECENT BURGLARIES OF SOVIET RESIDENCES THAT WERE NOT EVEN REPORTED TO THE POLICE.

10. "' HOW CAN WE PROTECT THEM IF THEY WON'T ASSIST US?' A STATE DEPARTMENT OFFICIAL ASKED.

11. "'IT'S LIKE DECLARING OPEN SEASON ON THE RUSSIANS,' A PROSECUTOR SAID. 'YOU CAN COMMIT CRIMES AGAINST THEM AND NOT GET PROSECUTED.'

12. "BREWER IDENTIFIED THE SUSPECT AS GEORGE COOPER ALLEN, 27, OF THE 2500 BLOCK OF STANTON ROAD SE, WHO WAS ARRESTED AFTER A POLICE CHASE THROUGH GEORGETOWN MOMENTS AFTER A MAN MATCHING HIS DESCRIPTION WAS STARTED IN THE GLOVER PARK APARTMENT OF SOVIET ATTACHE VICTOR KUZNETSOV.

13. "ACCORDING TO THE POLICE REPORT OF THE INCIDENT, KUZNETSOV AND HIS WIFE SURPRISED A BURGLAR WHEN THEY HEARD A NOISE AND TURNED ON THE LIGHTS IN THEIR LIVING

ROOM ABOUT 4:30 A.M. AUGUST 8.

14. "THEY TOLD POLICE THEY SAW A MAN DRESSED IN DARK

CLOTHING WHO GRABBED MRS. KUZNETSOV'S YELLOW PURSE AND PLUNGED OUT THEIR THIRD-FLOOR BALCONY DOOR. HE APPARENTLY LANDED IN THE BUSHES AND WAS LAST SEEN BY THEM PEDDLING AWAY ON A BICYCLE.

15. "ALLEN HAS BEEN FLAGGED BY THE US ATTORNEY'S OFFICE AS A 'CAREER CRIMINAL' BECAUSE OF A PRIOR RECORD OF VIOLENT CRIME AND THE FACT HE IS CHARGED IN A CRIME AGAINST A DIPLOMAT. BREWER SAID THE CAREER CRIMINAL OFFICE ALSO IS LOOKING AT A NUMBER OF UNSOLVED CAT UNCLASSIFIED

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BURGLARIES IN THE SAME AREA.

16. "ALTHOUGH THE SOVIETS HAVE NOT OFFICIALLY ANSWERED BY LETTER TO THE COURT ABOUT REFUSING TO TESTIFY, THEY HAVE PROHIBITED THE KUZNETSOVS FROM APPEARING BEFORE THE GRAND JURY HEARING THE CASE AGAINST ALLEN. BREWER SAID WHEN THE LETTER ARRIVES, HE WILL TAKE STEPS TO DISMISS THE CHARGES.

17. "VICTOR VOKOV, WHO SERVES AS A LIAISON BETWEEN HIS EMBASSY AND POLICE, REFUSED TO EXPLAIN THE STIFF SOVIET PROHIBITION AGAINST COURT TESTIMONY.

18. "'YOU CAN CHECK WITH THE STATE DEPARTMENT,' HE SAID. 'I CAN ONLY SAY, IN GENERAL, IT IS THE REGULAR PROCEDURE OF THE WHOLE DIPLOMATIC COMMUNITY.'

19. "NOT SO, ACCORDING TO FIL SHAMWELL OF THE STATE DEPARTMENT'S LEGAL ADVISER'S OFFICE. THERE IS NO SET POLICY WITHIN THE STATE DEPARTMENT OR THE DIPLOMATIC COMMUNITY OF WHETHER DIPLOMATS SHOULD TESTIFY IN CRIMINAL CASES. SUCH DECISIONS ARE MADE BY THE INDIVIDUAL MISSIONS CASE BY CASE, AND MANY DIPLOMATS HAVE APPEARED AS WITNESSES IN CRIMINAL TRIALS IN THE PAST.

20. "'IN A STRAIGHTFORWARD CRIMINAL CASE LIKE THIS ONE,' SHAMWELL SAID, 'I SEE NO REASON WHY A DIPLOMAT WOULD NOT BE AUTHORIZED TO TESTIFY.'

21. "OVERSEAS, HE SAID, THE US MAINTAINS A 'GENEROUS' ATTITUDE ABOUT ALLOWING AMERICAN OFFICIALS TO TESTIFY IN FOREIGN COURTS. AS HERE, EACH CASE IS REVIEWED SEPARATELY, HE SAID.

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22. "OFFICIALS ON THE STATE DEPARTMENT'S SOVIET DESK ARE AT A LOSS TO EXPLAIN THE RUSSIANS' ATTITUDE EXCEPT TO SAY IT IS A ROCK-BOUND POLICY TO MINIMIZE THEIR DIPLOMATS' CONTACT WITH THE AMERICAN SYSTEM.

23. "FURTHER, SAID A SOVIET RELATIONS EXPERT, SINCE THE RUSSIANS' CRIMINAL JUSTICE SYSTEM IS SO ALIEN TO OURS, THEY APPARENTLY CANNOT UNDERSTAND WHY A COMPLAINING WITNESS MUST APPEAR IN PERSON AND BE AVAILABLE FOR CROSS-EXAMINATION.

24. "THEY ARE IMPATIENT WITH DUE PROCESS OR THE CONSTITUTIONAL RIGHT OF A DEFENDANT TO FACE HIS ACCUSOR; THE EXPERT SAID. 'THEY SAY, 'YOU ARE THE GOVERNMENT. DO SOMETHING ABOUT IT.'"

25. "ACCORDING TO POLICE, ALLEN WAS ARRESTED HIDING UNDER A PILE OF WOODEN BOARDS IN THE BACK YARD OF A HOUSE IN THE 3200 BLOCK OF P STREET, N.W., HE WAS FOLLOWED THERE BY OFFICERS WHO FIRST CHASED HIM ON HIS 10-SPEED BICYCLE AND LATER ON FOOT FOR SEVERAL BLOCKS BEFORE HE WAS APPREHENDED, POLICE SAID.

26. "THE POLICE REPORT STATES HE WAS TAKEN BACK TO THE KUZNETSOV'S APARTMENT IN NEARBY GLOVER PARK AND IDENTIFIED BY THE COUPLE." VANCE

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